

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

WILLIAM F. HOLDNER, D.B.A.
HOLDNER FARMS

Civ. No. 3:15-cv-2039-AC

Plaintiff,
v.

KATY COBA, DIRECTOR OF OREGON
DEPT. OF AGRICULTURE, IN HER
INDIVIDUAL AND OFFICIAL CAPACITY;
DICK PEDERSON, DIRECTOR OF THE
OREGON DEPT. OF ENVIRONMENTAL
QUALITY, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITY,

OPINION AND ORDER

Defendants.

ACOSTA, Magistrate Judge:

Before the court is plaintiff William F. Holdner’s (“Holdner”) appeal (ECF No. 49) of the court’s Opinion and Order (ECF No. 43) and Judgment (ECF No. 44) dismissing Holdner’s lawsuit with prejudice.

All parties to this case granted full consent to jurisdiction by a U.S. Magistrate Judge on January 19, 2016. (ECF No. 19.) 28 U.S.C. § 636(c) provides,

Upon the consent of the parties, a full-time United States magistrate judge or a part-time United States magistrate judge who serves as a full-time judicial officer may conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case, when specially designated to exercise such jurisdiction by the district court or courts he serves.

...

Upon entry of judgment in any case referred under paragraph (1) of this subsection, an aggrieved party may appeal directly to the appropriate United States court of appeals from the judgment of the magistrate judge in the same manner as an appeal from any other judgment of a district court.

Id. at (1), (3).

The proper route of appeal of the court's Order and Judgment is therefore to the Ninth Circuit court of appeals. For these reasons, Holdner's appeal (ECF No. 49) is procedurally invalid and is DENIED.

IT IS SO ORDERED.

DATED this 22nd day of August, 2016.



JOHN V. ACOSTA
United States Magistrate Judge